

# EXHIBIT

## I

## **Melvin Alonza Lowe, III, Ed.S.**

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334-274-9065 home  
334-274-9082 fax

DrMALIII@aol.com or Melvin.A.Lowe@mps.k12.al.us

August 3<sup>rd</sup> 2004

I am asking for assistance in the investigation of the following: **Racial-Gender Discrimination, Defamation of Character, and Discriminatory Hiring Practices.**

I am: Melvin Alonza Lowe, III, Ed.S. – Employed w/ Montgomery County Public School System. I have (6) years of experience in education. I am 31 years of age. My DOB is 5/13/73. I am a U.S. Citizen, (Afro-American). (Please note my curriculum vita for further explanations per my professional credentials).

1. **August 31<sup>st</sup> 2003**, I applied for the: Administrative Assistant(s) positions at Crump Elementary and Brewbaker Junior High School. I never received an interview; position(s) have been filled.
2. **September 1<sup>st</sup> 2003**, I applied for the: Educational Specialist, Educational Technology Professional Development Program Coordinator, and Title I School wide Instructional Assistant position(s). I never received an interview; position(s) have been filled.
3. **September 1<sup>st</sup> 2003**, I applied for the: Administrative Assistant position at Robert E. Lee High School. I never received an interview. position has been filled.
4. **September 17<sup>th</sup> 2003**, I applied for the: Educational Specialist position in the Office of Student and Community Services. I didn't received an interview. position filled. Susan Terrell received position.
5. **September 17<sup>th</sup> 2003**, I applied for the: Teacher position – Brewbaker Intermediate School. I was interviewed, but didn't receive the position. (Negative verbal feedback from the administrator during interview).
6. **September 17<sup>th</sup> 2003**, I applied for the: Teacher position – McKee Elementary School. I never received an interview, and the position was filled.
7. **June 30<sup>th</sup> 2003**, I submitted a letter of re-activation of my employment application for positions available within Montgomery County Public Schools. I never received an interview.
8. **(Clarity and explanation for the above):** At this particular time I accepted a teaching job in Bullock County about 40 miles outside of Montgomery. I was given a non-renewal notice in May of 2003, which was the ending of my third year of teaching with Montgomery County. Under the directions of my attorney – Julian McPhillips I applied for all of the above listed positions via certified mail. At the beginning of the school year 2003-2004 I returned to Bullock County. In October of 2004 I was interviewed for a

Reading Coach position in Montgomery County at Daisy Lawrence Elementary Alternative School – Dr. James C. Owens, Ph.D. is the administrator. The school board at the rate of pay as a tutor-teacher hired me however; I was assigned and performed reading coach duties. The salary matrix for reading coaches is greater than that of a teacher and tutor-teacher.

9. **May 14<sup>th</sup> 2004**, I applied for any and all: Administrative Positions (Asst. Principal, Adm. Assistant, etc) position(s) that were available. I never received an interview.
10. **June 4<sup>th</sup> 2004**, I applied for the position: Educational Specialist – Office of Curriculum & Instruction. I was never interviewed; two women filled position(s).
11. **June 10<sup>th</sup> 2004**, I applied for the position: Title I Educational Specialist (Professional Development). I never received an interview; a woman filled position.
12. **June 11<sup>th</sup> 2004**, I applied for the position: Title I Program Evaluator. I never received an interview, position hasn't been filled.
13. **June 24<sup>th</sup> 2004**, I applied for the position: Title I Teacher Tutor (Skills Lab) Houston Hill Junior High School. I never received an interview, position has been filled.
14. **June 25<sup>th</sup> 2004**, I applied for the position: (2) System Reading Specialist – Office of Curriculum & Instruction. I received an interview; positions have been filled by (4) women.
15. **June 25<sup>th</sup> 2004**, I applied for the position: (3) System wide Math Specialist (Title I). I received an interview, positions have been filled.
16. **July 25<sup>th</sup> 2004**, I applied for the position: Title I Schoolwide Instructional Assistants at Various School Locations. I haven't received an interview.
17. **July 21<sup>st</sup> 2004**, I applied for the position: District Resource/Attendance Officer – Office of Student & Community Services. I haven't received an interview.
18. **(Clarity and explanation for the above):** On May 19<sup>th</sup> 2004, I was given a non-renewal notice from my position as Reading Coach at Daisy Lawrence Elementary Alternative School. When I questioned the notice and re-applied for re-hire, I was told by Mr. Jimmy Barker – Asst. Superintendent of Human Resources, Mrs. Lois Johnson – Asst. Superintendent of Student and Community Services, and Mr. Mike Looney – Asst. Superintendent of Curriculum and Instruction that my non-renewal notice was a mistake and that it wasn't approved by the board. Further that I would be placed within the school system. At that particular time I was assigned as the Lead Reading Coach for the Summer Reading Camp. At this time I began submitting the above listed notices for various positions within the school system.

At this particular time (August 2<sup>nd</sup> 2004) I have not received any assignment for employment. School starts in Montgomery County on August 11<sup>th</sup> and teachers report to their locations on August 4<sup>th</sup>. As of Saturday the 31<sup>st</sup> I was positioned with a demotion to accept a teaching position. I communicated to Mr. Jimmy Barker that I didn't understand why I should be demoted when my non-renewal notice was rescinded and the deadline for placement was June 30<sup>th</sup> for all certified personnel. Mr. Baker scheduled a meeting between the two of us for August 2<sup>nd</sup> @ 2:15p.m. to discuss a fair and equal compromise based upon positions that are still open and my areas of certifications. (Please see curriculum vita).

Within my complaint I am alleging racial and gender discrimination. The majority of the individuals who have filled the positions listed are either of the opposite race and gender in reference to me and or are not as qualified based on experience and certifications. Further, with the various job descriptions the persons hired did not meet the requirements and or the Office of Human Resources deviated from the qualifications listed to benefit the person that was hired.

Please feel free to contact me at any of the above listed numbers and e-mail address(s). At this particular time I do not have an assignment for next year. I have referenced my complaint with the AEA Offices in Montgomery and a formal grievance will be filed on this morning. I have copies of all original communications in addition to all personnel reports and job announcements.

The following contact information is for your resources:

Dr. H. Clinton Carter – Superintendent  
Montgomery Public Schools  
334-223-6710 office  
334-269-3076 fax  
307 South Decatur Street  
Montgomery, Alabama 36104  
P.O. Box 1991  
Montgomery, Alabama 36102-1991  
[Clinton.Carter@mps.k12.al.us](mailto:Clinton.Carter@mps.k12.al.us)

Mr. Mike Looney – Asst. Superintendent  
Office Curriculum & Instruction  
334-223-6830 office  
334-269-3997 fax  
307 South Decatur Street  
Montgomery, Alabama 36104  
P.O. Box 1991  
Montgomery, Alabama 36102-1991  
[Mike.Looney@mps.k12.al.us](mailto:Mike.Looney@mps.k12.al.us)

Mr. Jimmy Barker – Asst. Superintendent  
Office of Human Resources  
334-223-6730 office  
334-269-6100 fax  
307 South Decatur Street  
Montgomery, Alabama 36104  
P.O. Box 1991  
Montgomery, Alabama 36102-1991  
[Jimmy.Barker@mps.k12.al.us](mailto:Jimmy.Barker@mps.k12.al.us)

Mrs. Lois Johnson – Asst. Superintendent  
Office of Student and Community Services  
334-223-6850 office  
334-269-3998 fax  
307 South Decatur Street  
Montgomery, Alabama 36104  
P.O. Box 1991  
Montgomery, Alabama 36102-1991  
[Lois.L.Johnson@mps.k12.al.us](mailto:Lois.L.Johnson@mps.k12.al.us)

Dr. James C. Owens, Ph.D. – Principal  
Daisy Lawrence Elementary Alternative School  
334-269-3653 office  
334-241-5377 fax  
2124 Beach Street  
Montgomery, Alabama 36108  
[James.C.Owens@mps.k12.al.us](mailto:James.C.Owens@mps.k12.al.us)

Mr. Tommie Miller – Chairman MPS School Board  
827 John Brown Ave.  
Montgomery, Alabama 36106  
334-834-0015 office

Mrs. Vickie Jernigan – Vice Chairwoman MPS School Board  
600 Mary Ann Drive  
Montgomery, Alabama 36106  
334-272-2018

Dr. Mark LaBranche  
1760 Cairnbrook Drive  
Montgomery, Alabama 36116  
334-833-4575 office  
334-260-9169 home

Mr. Herman L. Harris  
4435 Woodcrest Drive  
Montgomery, Alabama 36108-5051  
334-284-3976 home

Mr. Dave Borden  
P.O. Box 33  
Montgomery, Alabama 36195  
334-834-6640 office  
334-584-9294 home

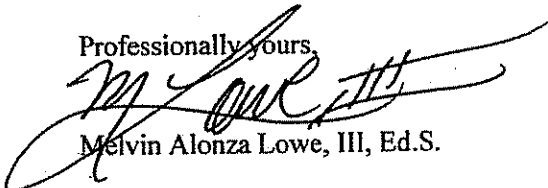
Mr. Henry A. Spears  
2069 Wabash Street  
Montgomery, Alabama 36108-4152  
334-263-1221 home

Mrs. Margaret Carpenter  
2345 Wildwood Drive  
Montgomery, Alabama 36111  
334-263-0641

Mr. Jerry Morris & Mrs. Ann Carol Sippal - UniService Directors  
Montgomery County Education Association  
434 South Decatur Street  
Montgomery, Alabama 36104  
334-263-2372 office  
334-263-2351 fax

Thanks for your assistance in this matter.

Professionally yours,

A handwritten signature in black ink, appearing to read 'M. Lowe III', is written over the typed name. The signature is fluid and cursive, with a large initial 'M' and a stylized 'L'.

Melvin Alonza Lowe, III, Ed.S.

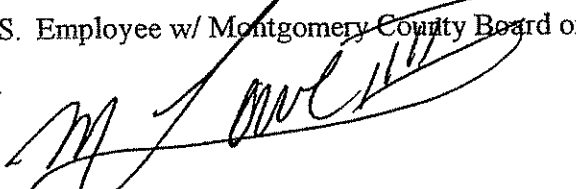
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**Addendum – Complaint of Employment Discrimination.**Grievance Previously Filed: 8/3/04

Within my initial complaint I might need to give clarification per my allegations against the Montgomery County Public School System. In my quest for equal and fair treatment within the law I have been challenged with: **Racial-Gender Discrimination, Defamation of Character, and Discriminatory Hiring Practices** on a continuous basis. Please add the following citations to my complaint, as they will assist you in your intervention procedures.

1. May of 1997 after completing my Degree in Elementary Education I was not given fair opportunity to interview for teaching positions based on the fact that I was the son of Dr. Mary H. Lowe a Montgomery Public School Administrator who in years past filed grievances on discriminatory basis.
2. These behaviors were practiced throughout my teaching career with MPS.
3. As I have tried to gain employment and or advancements in my career numerous principal have been discouraged from hiring me by Mrs. Carolyn Hick, a white woman – Director of Certified Personnel along with other that I am not aware of at this time. Please note the principals and department heads that I have interviewed with from May 1997- Present
  - a. Mr. James Singleton – Davis Elementary – Not hired.
  - b. Mrs. Lillian Sanders (Currently Principal at McKee Elementary) – Hayneville Elementary – Not hired.
  - c. Mr. Vince Johnson (Currently Principal Goodwin Junior High) – Harrison Elementary – Not hired (I completed my elementary internship under his administration).
  - d. Mrs. Teresa Goodson (Currently Principal MacMillian Elementary)– Fewes Elementary – Not hired.

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- e. Dr. Joy Myrick (Currently Director of Special Education) – Student Support – Hired.
- f. Mr. Stan Cox (Currently Principal Hooper Academy) – Student Support – Hired.
- g. Mrs. Vera Thompson – Fitzpatrick Elementary – Hired.
- h. Mrs. Linda Sexton (Currently Educational Specialist, Office of Instructional Media) – Vaughn Road Elementary - Not hired.
- i. Mrs. Tina Minott – Southlawn Middle - Hired.
- j. Bullock County Board of Education – Offered Job(s) & Accepted.
  - 1 – Mr. Julius Thomas – Principal
  - 2 – Mr. Keith Stewart – Superintendent
  - 3 – Mr. Lee A. Ballard – Asst. Superintendent
  - 4 – Mr. Saint T. Thomas – ( Retired - Superintendent that hired me)
  - 5 – Mrs. Octavia Miles (Retired – Director of Curriculum)
- k. Macon County Board of Education – Offered Job(s).
- l. Dallas County Board of Education – Offered Job(s).
- m. Selma City Board of Education – Offered Job(s).
- n. Lee County Board of Education – Offered Job(s).
- o. Autauga County Board of Education – Offered Job(s).
- p. Elmore County Board of Education – Offered Job(s).
- q. Tuskegee University – Offered Job(s).
- 4. In my quest to re-gain employment with Montgomery County after my non-renewal notice was given in May of 2003. Please note the following.
  - a. Mr. Barker – Asst. Superintendent of Human Resources informed my mother that Dr. Carter – Superintendent stated: “I would only be a teacher in this school system” (Summer 2003).
  - b. Mr. Barker informed my mother that Carolyn Hicks stated: “she mentioned my name to (7) principals with reference to employment and they all refused to hire me” (Summer – Fall 2003).

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- c. Mrs. Lois Johnson – Asst. Superintendent Office of Student and Community Services stated to my mother: “the problem with my employment was that when people/administrators view Melvin they see Mary Lowe and they aren’t favorable about hiring him at that point” (July 2004).
5. In addition to all of these type of statements I have been unable to get a clear reason per the deficiencies with my teaching and administrative interviews. I have passed all interviews at the central office level which makes it difficult for me to understand how I, a black man with the years of teaching experience and educational training can’t obtain equal employment within this school district. Further, I have passed PEPE every year of my employment history. Copies of my evaluations were given to me when I taught at the following:
- a. Daisy Lawrence Elementary Alternative – PEPE Completed 1997 – 1998.
  - b. Fitzpatrick Elementary PEPE - Not Completed 1998-1999.
  - c. Southlawn Middle PEPE - Not Completed 1999 – 2000.
  - d. South Highlands Elementary PEPE - Not Completed 2000 – 2001.
  - e. South Highlands Elementary PEPE – Not Completed 2001-2002
  - f. Daisy Lawrence Elementary Alternative – PEPE Completed 2002 – 2003.
6. Earlier on this school year. My principal Dr. James C. Owens, Ph.D. received personal information regarding my personnel file in Human Resources. This was in an attempt to continue discouraging him and other administrators from hiring me and keeping me as an employee. The information that was sent to him was unmarked and from various schools that I worked. Nothing was negative but it shows that someone is working against me and trying to spoil my professional career. I mentioned this situation to Mr. Barker and that I had a strong idea of where it was coming from and he said that he didn’t understand the situation. At that point we ended the conversation.

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7. In light of the jobs that I have applied, one in particular being the Reading Specialist Position. The person given the job was Karen Vann a white female. The job was never advertised; however it was placed on the board minutes, which was to by-pass the school board members knowing that the job was never posted. When I questioned Mr. Baker about the job he told me that Mr. Looney- Asst. Superintendent of Curriculum and Instruction was considering her for the position. I said to Mr. Barker that the position hasn't been advertised and how so. Mr. Barker told me that it was a lateral transfer. I told him that a 10-month Reading Coach transfer to a 12-month Reading Specialist position was not a lateral move. We ending the conversation.

8. I questioned Mr. Baker with reference to Denita Easterling a black female. Denita was given the job of serving as Summer School Principal for the Summer Reading Camp at T. S. Morris Elementary. At this time Denita wasn't certified in administration. In addition she was allowed to interview for Adm. Positions during the summer months along with me. I mentioned to Mr. Barker that I would have liked an opportunity to apply for Summer Principal positions since I was certified as of May 2001. I told him that I had to apply for the summer camp teaching and coaching position that I was afforded. Therefore I wanted to know what was the difference in applying for the principal's position. To this end, we ended our discussion. Denita was appointed Adm. Assistant at T.S. Morris in June of 2004; she didn't graduate with her certification until July 2004. When I questioned Mrs. Sophia Johnson – Principal at T.S. Morris per her summer camp principal she informed me that Mr. Barker recommended her for the position. I asked Mrs. Johnson if she knew that Denita wasn't certified. We at that time ended the conversation.

9. It has been brought to my attention that my name among others has been issued to school administrators as not being certified in teaching with reference to Reading Instruction. At such time I asked Mrs. Sandra Pugh in the Office of Human Resources to please process my Highly Qualified

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application to the Alabama State Department of Education. She informed me that because I was a reading coach last year that I didn't need to have an application processed. I told her that it was an instructional position and that I had to meet HQ status in order to be employed. We ended the conversation. According to my investigation with the State Dept. **I am highly qualified.** My certifications have increased and I was seeking this information, as it would increase my professional growth efforts and possibilities.

10. I questioned Mr. Barker about my name being given to him regarding a recommendation made for me as Adm. Asst. at McKee Junior High. Mr. Barker later informed the principal to hire a female to balance the administrative staff. I don't see how this practice is being followed over the school system when there are some schools that have more men to women and women to men administrative teams.

11. Currently in Montgomery County Public Schools there is a limited number of black men in **leadership/administrative positions**. Please note the following:

- a. Office of Curriculum and Instruction – 1
- b. Office of Human Resources - 1
- c. Office of Student & Community Services – 0

The Ratio per women, black and white along with white men out number the black men.

Within these departments there are various positions that I have applied for, yet there are no black men in any of these professional leadership positions.

This past year I was the only black man serving as a Reading Coach in Montgomery County Public Schools please note I was being paid teacher-tutor salary; however this year there are no black male Reading Coaches in the entire system.

12. I don't understand why I haven't been placed in a leadership position because Mr. Barker stated to me in June of 2003 "Dr. Carter stated that I would be placed in either a reading position or adm. position for the up-coming school

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year of 2004-2005". Mr. Baker re-confirmed that my interviews where excellent and that he heard a lot of great things regarding my knowledge of curriculum and instruction thus the implementation of policy/ procedures in and educational administration.

12. **July 31<sup>st</sup>**, @ 11:00a.m. Mr. Barker called me to offer me teaching positions with MPS. I told Mr. Barker that I didn't feel comfortable with the assignment in addition to the fact that I viewed the re-assignment as a demotion. From this conversation Mr. Barker suggested the we conference in his office on August 2<sup>nd</sup> at 2:15p.m. Before we finished our conversation I asked Mr. Barker about the possibilities of me filling one of the administrative positions that I applied. He told me that he didn't handle the selections made by the site administrator. He would need to check on the situation. The teaching positions offered were Fitzpatrick, Nixon, and Floyd Elementary schools.
13. **August 1<sup>st</sup>**, I telephoned both of my uni-service directors to inform them that I didn't feel comfortable with the proposition that was presented to me by Human Resources.
14. **August 2<sup>nd</sup>**, I telephoned MCEA again to discuss and to complete the PR&R form on the grounds of Racial-Gender Discrimination, Defamation of Character, and Discriminatory Hiring Practices. On my meeting with Mr. Barker, he again offered me teaching positions; this time they were Carver and Nixon Elementary schools. Again I told Mr. Barker that I didn't feel comfortable with the demotion further I would like to discuss the administrative positions that I applied for. Mr. Barker told me that he didn't have anything available. In the same meeting Mr. Barker presented me with an opportunity to interview for an SIA position. I was given an interview time of 10:30a.m. on August 3<sup>rd</sup> 2004. We ended the meeting on the premise that I would wait and see what was presented to me after I interviewed. Mr. Baker was persistent in getting to sign another contract to accept a teaching position.

I refused to accept the demotion and didn't sign the contract. Mr. Baker  
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informed me that he was only entitled to offer me a teaching position. We at that time ended our meeting. I asked Mr. Barker to let me know where and what I was to do for work on the Wednesday the 4<sup>th</sup>.

15. **August 3<sup>rd</sup>**, I waited two hours and 30 minutes I was finally interviewed. Mr. Baker informed me that his secretary on a minor technicality made the mistake. I was interviewed at 12:30p.m. by Dr. Sandra Gwinn, Mrs. Gloria Howard, and Mrs. Carla Wimborne for the position(s) SIA at (4) area schools. Later on the same day Mr. Barker finally called me around 7:30p.m. to inform me that I was entitled to return to Daisy Lawrence for work. Mr. Barker further mentioned to me that he didn't appreciate me or someone making mention of this situation to Mr. Tommy Miller – Chairperson Montgomery County Board of Education and Dr. Carter - Superintendent. I informed Mr. Barker that I had not spoken to either individual regarding my situation but if there was a problem why couldn't they know. I ended the conversation by telling Mr. Barker that nothing was personal but it was just business that I seek mediation regarding my employment issues.

16. **August 4<sup>th</sup>**, I reported to Daisy Lawrence for work awaiting further instructions per my job assignment, responsibilities, and duties. Mrs. Sippal – MCEA telephoned me early this morning to tell me that Mr. Baker didn't know where I was to go. Later this morning it was confirmed that I was to report to Daisy Lawrence. On today I filed my PR&R form with Dr. Joe L. Reed-AEA.

17. **August 5<sup>th</sup>**, I attended an in-service training at the Shakespeare Festival. Today is the closing day for the positions of District Resource/Attendance Officer. I have applied and I am awaiting an interview.

18. **August 6<sup>th</sup>**, As a point of interest, my PowerPoint presentation is on the web page for MPS and has been used since March of 2003 until present. It serves as a guide and model for instruction to be viewed at large for advanced instructional purposes. I worked in my classroom on today at Daisy

Lawrence. I applied for two positions with MPS via e-mail. Mr. Barker  
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responded; however I will check the personnel reports for clarity per these positions. I spoke with AEA on today with reference to my grievance. Today the school secretary told me that a phone call was received shortly after 8a.m. suggesting that if I wasn't at school to dock my pay. The secretary didn't know who called. I checked with the Office of Curriculum and Instruction to verify that I was in the correct place. Dr. Owens was in meetings and there was no one to verify my presence.

19. **August 7<sup>th</sup>**, I received a communication from the Office of Civil Rights stating that my compliant/grievance was in review and that I would hear from their office by Sept 2<sup>nd</sup> 2004.
20. **August 8<sup>th</sup>**, I will report to Daisy Lawrence Elementary School for the first day of school on Monday the 9<sup>th</sup>. I have no job description, no class or student roster. I have been asked to remove myself from the office that I held on last year. I have been assigned to a classroom. Per the New Program that is being implemented I have not been trained. At this time I feel humiliated and embarrassed. I feel that my professional career is being erased, as I am not being allowed to practices within my areas of education and training.
21. **Please Note: I have all letters and e-mail communications to validate my claim. In addition to all work that I performed with reference to my job assignment on this past year.**

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